

REMARKS

Claims 1, 3, 4 and 8-11 were examined and reported in the Office Action. Claims 1, 3, 4 and 8-11 are rejected. Claims 1 and 8 are amended. Claims 1, 3, 4 and 8-11 remain.

Applicant requests reconsideration of the application in view of the following remarks.

I. 35 U.S.C. §112, Second Paragraph

It is asserted in the Office Action that claims 1, 3, 4 and 8-11 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant notes that the specification asserts "[o]ne should note that embodiments of the invention can be used with future USB systems where queue heads are typically not directly coupled to the frame list before siTDs." Therefore, Applicant's claims are supported in the specification. Applicant, however, amended claims 1 and 8.

Accordingly, withdrawal of the 35 U.S.C. §112, second paragraph rejections for claims 1, 3, 4 and 8-11 are respectfully requested.

II. Double Patenting

It is asserted in the Office Action that claims 1, 3, 4 and 8-11 are rejected on the ground of nonstatutory obviousness type double patenting as being unpatentable over claims 1, 3-6 and 8-10 of U.S. Patent No. 6,728,801 in view of "Enhance Host Controller Interface Specification for USB." Applicant submits a timely terminal disclaimer signed by Steven Laut, the attorney of record. Accordingly, withdrawal of the double patenting rejection for claims 1, 3, 4 and 8-11 are respectfully requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely 1, 3-4 and 8-11, patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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Dated: September 8, 2006

By: 

Steven Laut, Reg. No. 47,736

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22318-1450 on September 8, 2006.


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